

## ~~Draft Criteria for Proposed Study~~

### ~~Evaluation of Review to Evaluate the~~ **Evaluation of Review to Evaluate the Compatibility of Proposed Remedial Plans with Butte Community's Existing Plans for Restoring Upper Silver Bow Creek**

Purpose: to provide the Butte community with a conceptual ~~design framework~~ and feasibility review to evaluate EPA's assertion that the proposed BPSOU plan for a storm water detention pond system in the Upper Silver Bow Creek Corridor ~~"will not preclude will not impede"~~ the development of a restored meandering Silver Bow Creek" as envisioned in Restore Our Creek Coalition's (ROCC's) *Silver Bow Creek Headwaters Park* plan.

Put simply, this effort will analyze and report the requirements for restoring a meandering creek channel amid the remedial elements planned for the creek corridor that are specified in EPA's 2019 ROD amendments for BPSOU.

This requires engaging an independent contractor with expertise in stream restoration, ~~design,~~ and construction and a familiarity with Butte's Superfund remedial and restoration circumstances, to conduct a thorough conceptual ~~design layout and feasibility review evaluation~~ to confirm the assertion stated above. The contractor will work from, but not be limited to, ~~a the conceptual design framework~~ previously prepared by ROCC ~~in its Silver Bow Creek Headwaters Park publication~~ and will consult regularly with ROCC to ensure that the resulting ~~creek design layout~~ comports with the vision embodied ~~in that in the Silver Bow Creek Headwaters Park plan~~. This effort by the independent contractor will produce results that can be integrated with the BPSOU CD process and ~~that~~ meet the following criteria:

1. Time Frame. The ~~review study~~ must be fast-tracked for completion in time to be incorporated into the final BPSOU CD decision documents which are currently projected for August 2019. The contractor will regularly provide updates to ROCC and CTEC reporting milestones to indicate periodic status of the evaluation of conceptual ~~design layout~~ elements.
2. Remedy Compatibility. The ~~study review conducted~~ must account for how the proposed meandering lined creek can be constructed so as to be compatible with the planned storm water control features in the

BPSOU CD and also with the Natural Resource Damage Parrot Tailings restoration project and other remedial activities from Texas Avenue to Montana Street.

3. Documentation. Making use of the massive archive of Superfund-related documentation, ~~The study-review~~ will provide a detailed survey of the proposed restored lined Silver Bow Creek channel from Texas Avenue to the confluence with Blacktail Creek that accounts for property ownership, easements, infrastructure, elevations, and any other factor that may affect ~~the any future~~ design and functioning of ~~the a~~ restored creek. The contractor will base interpretations, evaluations, and conceptual plans on data available to entities involved in remedial decisions, which will be provided to the contractor. Much of this data is available through the RMAP program's database.

#### 4. Scope and Scale of Restored Silver Bow Creek.

- a. The ~~design-plan~~ of the lined creek will ensure that currently contaminated groundwater beneath the planned creekway will have no contact with the clean water flowing along the restored creek until such time that the lining is no longer needed.
- b. The restored lined creek will rely on gravity flow from the point where its source enters the channel at Texas Avenue to the point where it meets Blacktail Creek near the Chamber of Commerce.
- c. The ~~review study~~ will size the restored creek channel to accommodate anticipated future flows from mandated water treatment discharge demands and other available waters with a target of no less than the average daily flow of Blacktail Creek over the last 10 years.
- d. The ~~review study~~ will align the creek's channel to optimize its meandering character within the land corridor set aside for the creek by ARCO/BP (from Casey Street through the Northside Tailings and the Diggings East) and Butte Silver Bow (from Texas Avenue to Harrison Avenue) and also along the corridor from Harrison Avenue to Casey Street.

e. The study-review will identify infrastructural challenges along the creek route/alignment, including crossings of streets, roads, walking paths, pipelines and the existing Silver Bow Creek channel, and provide preliminary design-layout options to resolve the challenges.

f. The study-review will identify private land issues along the route/alignment to facilitate later purchase or easement opportunities and will provide design-layout options that minimize the need to intrude upon privately held land.

5. Costs. The review study will estimate costs associated with construction of the restored lined creek (-25% to +25%), including cost-mitigation measures that can be factored into plans underway for storm water-control construction activities throughout the corridor.

6. Project Management and Evaluation. CTEC will manage all financial aspects of the project, including disbursement of funds, documenting cost-matching from CTEC and ROCC, and other TAG-related documentation. A special committee of ROCC members will regularly interact with the contractor to ensure that the contracted work is achieving the desired results. Upon project completion, results will be made available to the public.